

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: East Palestine Train Derailment : CASE NO.: 4:23-CV-00242-FYP

JUDGE: BENITA Y. PEARSON

**MOTION OF APPELLANTS JOSEPH SHEELY, ZSUZSA TROYAN, TAMARA
FREEZE, SHARON LYNCH, AND CARLY TUNNO TO EXTEND TIME FOR APPEAL
OF JANUARY 16, 2025 ORDER SETTING APPEAL BOND**

Appellants respectfully move under Fed. Rule of Appellate Proc. 4(a)(1)(A) and (a)(5) to extend the time for appealing this Court January 16, 2025 Order Setting Appeal Bond (ECF No. 733).

Following entry of this Court's January 16, 2025 Order, appellants (Rev. Sheely in 6th Cir. No. 24-3852, Mmes. Troyan, Freeze, Lynch and Tunno in 6th Cir. No. 24-3800) filed motions to set aside the Appeal Bond Order on January 19, 2025. After responses were submitted by class counsel and Norfolk Southern, and a reply was filed by appellants, the 6th Circuit *today* issued its order denying the motions for lack of jurisdiction (Exhibit A), on grounds appellants had to separately appeal the Appeal Bond Order, noting "they could still obtain review of the bond order by filing a direct appeal from that order. See Fed. R. App. P. 4(a)(1)(A), (a)(5) (giving a party thirty days from the date of the order to file an appeal and allowing the district court to extend the time to file an appeal if the party moves for an extension within thirty days after the time to appeal has expired)." (Exhibit A, p. 3).

For the reasons adduced in the accompanying supporting Memorandum per LCR 7.1(c), appellants respectfully request that this Court extend the time for appeal of its January 16, 2025 order (ECF No. 733) to allow them 7 days from entry of this Court's order in which to do so.

Respectfully submitted,

s/ David M. Graham
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